IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

RP.No. 163 of 2007()
IN
W.A.NO.2353 OF 2006

AGAINST THE JUDGEMENT/ORDER IN WA.2353/2006
AGAINST THE JUDGEMENT/ORDER IN WPC.19803/2005
.....

REVIEW PETITIONERS/RESPONDENTS 1 AND 2:
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1. **K. CHATHAN, TAHSILDAR (RETD.)**
   RESIDING AT RANJITH NIVAS, PALLIKULAM,
   ERATTAKULAM P.O., ALATHUR.

2. **M. KANDAMUTHU, JUNIOR SUPERINTENDENT**
   O/O.SPECIAL DEPUTY COLLECTOR,
   L.A.N.H.PALAKKAD.

BY ADV. SRI.N.SUGATHAN

RESPONDENTS/APPELLANTS AND RESPONDENTS 3 AND 4:
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1. **C.R. KRISHNAKUMAR, DEPUTY TAHSILDAR**
   TALUK OFFICE, NEDUMANGAD.

2. **MADHU GANGADHAR, JUNIOR SUPERINTENDENT**
   (DEPUTY TAHSILDAR), O/O.REVENUE DIVISIONAL
   OFFICER, THIRUVANANTHAPURAM.

3. **P. SIVANANDASWAMY NADAR,**
   JUNIOR SUPERINTENDENT (DEPUTY TAHSILDAR)
   O/O.DIRECTOR OF SURVEY & LAND RECORDS,
   THIRUVANANTHAPURAM.

4. **THE STATE OF KERALA, REPRESENTED BY**
   THE SECRETARY TO GOVERNMENT, REVENUE DEPT.,
   SECRETARIAT, THIRUVANANTHAPURAM.

**5. THE COMMISSIONER OF LAND REVENUE,
THIRUVANANTHAPURAM.**

**BY ADV. SRI.KRB.KAIMAL (SR.)
GOVERNMENT PLEADER SRI.K.C.SANTHOSHKUMAR**

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 03/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY & K.R.UDAYABHANU, JJ.

R.P.NO.163 OF 2007
IN
W.A.NO.2353 OF 2006 ()

Dated this the 3rd day of April, 2007

O R D E R

KOSHY,J.

Contention of the review petitioner is that the judgment under review is contrary to two decisions of the Division Bench reported in ***State of Kerala v. Chathan (2005 (1) K.L.T. 75)*** and ***Somarajan v. State of Kerala (ILR 2007 (1) Kerala 266)***. However, if the decisions of the Division Bench are reviewed, it is for the petitioner to file appeal and a review petition cannot be equated to a petition for rehearing of the matter or to an appeal proceedings. Without prejudice to the rights of the petitioner in filing an appeal this review petition is dismissed.

J.B.KOSHY, JUDGE

K.R.UDAYABHANU, JUDGE

prp

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

O.P.NO. OF 2006 ()

J U D G M E N T

17th November, 2006